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NOTICE OF ALLOWANCE AND FEE(S) DUE

1444

7590

03/10/2008

BROWDY AND NEIMARK, P.L.L.C. 624 NINTH STREET, NW SUITE 300 WASHINGTON, DC 20001-5303 EXAMINER

TOOMER, CEPHIA D

ART UNIT PAPER NUMBER

1797

DATE MAILED: 03/10/2008

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/765,906	01/29/2004	Ed Roddenbery	RODDENBERY2	2611

TITLE OF INVENTION: ACTIVE AGENT DELIVERY DEVICE

APPLN. TYPE	SMALL ENTITY	ISSUE FEE DUE	PUBLICATION FEE DUE	PREV. PAID ISSUE FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	YES	\$720	\$300	\$0	\$1020	06/10/2008

THE APPLICATION IDENTIFIED ABOVE HAS BEEN EXAMINED AND IS ALLOWED FOR ISSUANCE AS A PATENT. PROSECUTION ON THE MERITS IS CLOSED. THIS NOTICE OF ALLOWANCE IS NOT A GRANT OF PATENT RIGHTS. THIS APPLICATION IS SUBJECT TO WITHDRAWAL FROM ISSUE AT THE INITIATIVE OF THE OFFICE OR UPON PETITION BY THE APPLICANT. SEE 37 CFR 1.313 AND MPEP 1308.

THE ISSUE FEE AND PUBLICATION FEE (IF REQUIRED) MUST BE PAID WITHIN THREE MONTHS FROM THE MAILING DATE OF THIS NOTICE OR THIS APPLICATION SHALL BE REGARDED AS ABANDONED. THIS STATUTORY PERIOD CANNOT BE EXTENDED. SEE 35 U.S.C. 151. THE ISSUE FEE DUE INDICATED ABOVE DOES NOT REFLECT A CREDIT FOR ANY PREVIOUSLY PAID ISSUE FEE IN THIS APPLICATION. IF AN ISSUE FEE HAS PREVIOUSLY BEEN PAID IN THIS APPLICATION (AS SHOWN ABOVE), THE RETURN OF PART B OF THIS FORM WILL BE CONSIDERED A REQUEST TO REAPPLY THE PREVIOUSLY PAID ISSUE FEE TOWARD THE ISSUE FEE NOW DUE.

HOW TO REPLY TO THIS NOTICE:

I. Review the SMALL ENTITY status shown above.

If the SMALL ENTITY is shown as YES, verify your current SMALL ENTITY status:

A. If the status is the same, pay the TOTAL FEE(S) DUE shown above.

B. If the status above is to be removed, check box 5b on Part B - Fee(s) Transmittal and pay the PUBLICATION FEE (if required) and twice the amount of the ISSUE FEE shown above, or

If the SMALL ENTITY is shown as NO:

A. Pay TOTAL FEE(S) DUE shown above, or

B. If applicant claimed SMALL ENTITY status before, or is now claiming SMALL ENTITY status, check box 5a on Part B - Fee(s) Transmittal and pay the PUBLICATION FEE (if required) and 1/2 the ISSUE FEE shown above.

II. PART B - FEE(S) TRANSMITTAL, or its equivalent, must be completed and returned to the United States Patent and Trademark Office (USPTO) with your ISSUE FEE and PUBLICATION FEE (if required). If you are charging the fee(s) to your deposit account, section "4b" of Part B - Fee(s) Transmittal should be completed and an extra copy of the form should be submitted. If an equivalent of Part B is filed, a request to reapply a previously paid issue fee must be clearly made, and delays in processing may occur due to the difficulty in recognizing the paper as an equivalent of Part B.

III. All communications regarding this application must give the application number. Please direct all communications prior to issuance to Mail Stop ISSUE FEE unless advised to the contrary.

IMPORTANT REMINDER: Utility patents issuing on applications filed on or after Dec. 12, 1980 may require payment of maintenance fees. It is patentee's responsibility to ensure timely payment of maintenance fees when due.

PART B - FEE(S) TRANSMITTAL

Complete and send this form, together with applicable fee(s), to: Mail Mail Stop ISSUE FEE

Commissioner for Patents P.O. Box 1450 Alexandria, Virginia 22313-1450

or <u>Fax</u> (571)-273-2885

INSTRUCTIONS; This form should be used for transmitting the ISSUE FEE and PUBLICATION FEE (if required). Blocks 1 through 5 should be completed where ap in m

APPLICATION NO. FILING DATE FIRST NAMED INVENTOR ATTORNEY DOCKET NO. CONFIRMATION NO. 10/765,906 01/29/2004 Ed Roddenbery RODDENBERY2 2611 TITLE OF INVENTION: ACTIVE AGENT DELIVERY DEVICE APPLN. TYPE SMALL ENTITY ISSUE FEE DUE PUBLICATION FEE DUE PREV. PAID ISSUE FEE TOTAL FEE(S) DUE DATE DUE nonprovisional YES \$720 \$300 \$0 \$1020 06/10/2008 EXAMINER ART UNIT CLASS-SUBCLASS TOOMER, CEPHIA D 1797 044-530000 1. Change of correspondence address or indication of "Fee Address" (37 CFR 1.363). Change of correspondence address (or Change of Correspondence Address form PTO/SB/122) attached. "Fee Address" indication (or "Fee Address" Indication form "Fee Address" indication (or "Fee Address" Indication form	CURRENT CORRESPOND					.,.	1 1 1 0	1	
BROWDY AND NEIMARK, P.L.L.C. 624 NINTH STREET, NW SUITE 300 WASHINGTON, DC 20001-5303 WASHINGTON, DC 20001-5403 WASHINGTON, DC 20001-5403 WASHINGTON, DC 20001-5503 PILING DATE FIRST NAMED INVENTOR ATTORNEY DOCKET NO. CONFIRMATION NO. 10765,906 01/29/2004 Ed Roddenbery RODDENBERY2 2611 TITLE OF INVENTION: ACTIVE AGENT DELIVERY DEVICE PUBLICATION FEE DUE PREV. PAID ISSUE FEE TOTAL FEE(8) DUE DATE DUE PREV. PAID ISSUE FEE TOTAL FEE(8) DUE DATE DUE PREV. PAID ISSUE FEE TOTAL FEE(8) DUE DATE DUE PREV. PAID ISSUE FEE TOTAL FEE(8) DUE DATE DUE Nonprovisional YES \$720 \$300 \$0 \$0 \$1020 06/10/2008 EXAMINER ART UNIT CLASS-SUBCLASS TOOMER, CEPHIA D 1797 044-530000 1. Change of correspondence address or indication of "Fee Address" (37 CICR 1.363). CRAIGS OF CORRESPONDENCE Address from PTO/SB/1/22) attached. 1. Change of correspondence address or indication of "Fee Address" (37 CICR 1.363). CICR 1.3630. CI	CURRENT CORRESPONDENCE ADDRESS (Note: Use Block 1 for any change of address			Fee	(s) Transmittal, This	certificate ca	nnot be used for	r any other accompanying	
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Number is required.									
3. ASSIGNEE NAME AND RESIDENCE DATA TO BE PRINTED ON THE PATENT (print or type)	3. ASSIGNEE NAME A	AND RESIDENCE DATA	TO BE PRINTED ON	L THE PATENT (print or typ	pe)				
PLEASE NOTE: Unless an assignee is identified below, no assignee data will appear on the patent. If an assignee is identified below, the document has been filed for recordation as set forth in 37 CFR 3.11. Completion of this form is NOT a substitute for filing an assignment.	PLEASE NOTE: Un	less an assignee is identi	fied below, no assignee	data will appear on the p	atent. If an assigned	e is identified	below, the do	cument has been filed for	
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4a. The following fee(s) are submitted: 4b. Payment of Fee(s): (Please first reapply any previously paid issue fee shown above)	_	are submitted:	41	— '	se first reapply any	y previously p	paid issue fee sl	hown above)	
☐ Issue Fee ☐ Publication Fee (No small entity discount permitted) ☐ Payment by credit card. Form PTO-2038 is attached.		No small antity discount n	armittad)		d Earn PTO 2029	is attached			
Advance Order - # of Copies The Director is hereby authorized to charge the required fee(s), any deficiency, or credit any							fee(s), any defi	iciency, or credit any	
				overpayment, to Depo	sit Account Number		(enclose an	extra copy of this form).	
5. Change in Entity Status (from status indicated above) a. Applicant claims SMALL ENTITY status. See 37 CFR 1.27. b. Applicant is no longer claiming SMALL ENTITY status. See 37 CFR 1.27(g)(2).		,	,	b. Applicant is no lon	ger claiming SMAL	L ENTITY sta	atus. See 37 CF	R 1.27(g)(2).	
NOTE: The Issue Fee and Publication Fee (if required) will not be accepted from anyone other than the applicant; a registered attorney or agent; or the assignee or other party interest as shown by the records of the United States Patent and Trademark Office.	NOTE: The Issue Fee an	nd Publication Fee (if requ	ired) will not be accepte	d from anyone other than t					
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Authorized Signature Date	Authorized Signature	;			Date				
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This collection of information is required by 37 CFR 1.311. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and the confidence of the complete of the complet	This collection of inform an application. Confiden	nation is required by 37 C ntiality is governed by 35	FR 1.311. The information U.S.C. 122 and 37 CFR	on is required to obtain or in 1.14. This collection is est	etain a benefit by th	e public which	h is to file (and plete, including	by the USPTO to process gathering, preparing, and	
an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, a submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complet this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P. Box 1450, Alexandria, Virginia 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450.	this form and/or suggest Box 1450, Alexandria, V	ions for reducing this bur Virginia 22313-1450. DO	den, should be sent to the NOT SEND FEES OR	depending upon the indivi- e Chief Information Office COMPLETED FORMS TO	er, U.S. Patent and T D THIS ADDRESS.	Trademark Off SEND TO: C	e amount of tim fice, U.S. Depar Commissioner fo	te you require to complete timent of Commerce, P.O. or Patents, P.O. Box 1450.	

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APPLICATION NO. FILING DATE		FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.		
10/765,906 01/29/2004 Ed Roddenb		Ed Roddenbery	RODDENBERY2	2611		
1444 75	1444 7590 03/10/2008			EXAMINER		
BROWDY AND	NEIMARK, P.L.L.C	TOOMER,	CEPHIA D			
624 NINTH STRE	ET, NW	ART UNIT	PAPER NUMBER			
SUITE 300 WASHINGTON, DC 20001-5303			1797 DATE MAILED: 03/10/200	8		

Determination of Patent Term Adjustment under 35 U.S.C. 154 (b)

(application filed on or after May 29, 2000)

The Patent Term Adjustment to date is 920 day(s). If the issue fee is paid on the date that is three months after the mailing date of this notice and the patent issues on the Tuesday before the date that is 28 weeks (six and a half months) after the mailing date of this notice, the Patent Term Adjustment will be 920 day(s).

If a Continued Prosecution Application (CPA) was filed in the above-identified application, the filing date that determines Patent Term Adjustment is the filing date of the most recent CPA.

Applicant will be able to obtain more detailed information by accessing the Patent Application Information Retrieval (PAIR) WEB site (http://pair.uspto.gov).

Any questions regarding the Patent Term Extension or Adjustment determination should be directed to the Office of Patent Legal Administration at (571)-272-7702. Questions relating to issue and publication fee payments should be directed to the Customer Service Center of the Office of Patent Publication at 1-(888)-786-0101 (571)-272-4200.

	Application No.	Applicant(s)				
Examiner-Initiated Interview Summary	10/765,906	RODDENBERY ET AL.				
Examiner initiated interview duminary	Examiner	Art Unit				
	Cephia D. Toomer	1797				
Il Participants: Status of Application:						
(1) <u>Cephia D. Toomer</u> .	(3)					
(2) <u>Anne Kornbau</u> . (4)						
Date of Interview: <u>8 February 2008</u>	Time:					
Type of Interview: ☐ Telephonic ☐ Video Conference ☐ Personal (Copy given to: ☐ Applicant ☐ Applic Exhibit Shown or Demonstrated: ☐ Yes ☐ No If Yes, provide a brief description: .	cant's representative)					
Part I.						
Rejection(s) discussed:						
Claims discussed: 4, 9 and 10						
Prior art documents discussed:						
Part II. SUBSTANCE OF INTERVIEW DESCRIBING THE GENE	EDAL NATUDE OF WHAT WAS	e Diechesen:				
Ms. Kornbau agreed to amend claim 4 to change the dependen						
Part III.						
 It is not necessary for applicant to provide a separate directly resulted in the allowance of the application. The of the interview in the Notice of Allowability. It is not necessary for applicant to provide a separate did not result in resolution of all issues. A brief summa 	ne examiner will provide a writte record of the substance of the	en summary of the substance interview, since the interview				
//Cephia D. Toomer// Primary Examiner, Art Unit 1797	Applicant/Applicant's Representat	ive Signature – if appropriate)				